

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

– *against* –

STEPHEN BASCIANO,

Defendant.

13 Cr. 340 (RJS)

NOTICE OF PRE-TRIAL
MOTIONS FILED PURSUANT TO
RULE 12(b), FED.R.CRIM.P.

PLEASE TAKE NOTICE, that upon the annexed declaration of Joshua L. Dratel, Esq., the Exhibits thereto, the accompanying Memorandum of Law, and all prior papers and proceedings herein, the defendant, STEPHEN BASCIANO, defendant in the above-entitled case, will move before the Honorable RICHARD J. SULLIVAN, United States District Court Judge for the Southern District of New York, at the United States Courthouse located at 40 Foley Square, New York, New York, as soon as counsel may be heard, for an order:

- (a) granting a severance of Count Two against Mr. Basciano, because joinder of the charge against him with the other counts in the Indictment is improper pursuant to Rule 8(b), Fed.R.Crim.P.;
- (b) granting a severance of Count Two against Mr. Basciano, because joinder of the charge against him with the other counts in the Indictment is prejudicial pursuant to Rule 14(a), Fed.R.Crim.P.;
- (c) directing the Government to provide a Bill of Particulars;
- (d) permitting Mr. Basciano to join in those motions made by his co-defendants that inure to his benefit; and.

(d) for any such other and further relief as to the Court seems just and proper.

Dated: 17 January 2014
New York, New York

Respectfully submitted,

/S/ Joshua L. Dratel
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Attorneys for Defendant Stephen Basciano

To: THE HON. RICHARD J. SULLIVAN
UNITED STATES DISTRICT JUDGE

UNITED STATES ATTORNEY
SOUTHERN DISTRICT OF NEW YORK